

May 07, 2020



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 16365  
(SECOND REVISION)

**EXPIRATION DATE: 2024-03-31**

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: RDS Manufacturing, Inc.  
Perry, FL
2. PURPOSE AND LIMITATIONS:
  - a. This special permit authorizes the manufacture, mark, sale and use of non-DOT specification aluminum tanks with capacities not exceeding 95 gallons. Additionally, discharge of Class 3 hazardous materials from the tanks without removing them from the vehicle on which they are transported is authorized. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.834(h) in that discharge of contents of an IBC is made prior to removal from the motor vehicle and § 178.700(c)(1) in that the size of the authorized packaging is less than 119 gallons.

**May 07, 2020**

5. BASIS: This special permit is based on the application of RDS Manufacturing, Inc. dated April 28, 2020, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

<b>Hazardous Material Description</b>			
<b>Proper Shipping Name</b>	<b>Hazard Class/ Division</b>	<b>Identification Number</b>	<b>Packing Group</b>
Diesel fuel	3	NA1993	III
Ethanol	3	UN1170	II or III
Flammable liquids, n.o.s.*	3	UN1993	II or III
Fuel, aviation, turbine engine	3	UN1863	II or III
Gasoline	3	UN1203	II
Methanol	3	UN1230	II

\*The vapor pressure must be less than 16 psia at 130 °F.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: The prescribed packagings are metal non-DOT specification tanks used for refueling. Tanks must be constructed of aluminum and must conform to the requirements for a UN 31B IBC except for water capacity. The size of the tank must not exceed 95 gallons.

b. TESTING: Each design type must meet the testing and certification requirements specified in § 178.803 for metal IBCs. Tanks manufactured and sold with the pump attached must be tested with the pump attached. Each tank must be periodically retested every 2.5 years in accordance with the requirements of § 180.352.

**May 07, 2020**

c. OPERATIONAL CONTROLS:

(1) Tanks must be attended at all times during loading and unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" must have the meanings described in § 177.834(i)(3) and (4), respectively.

(2) Hoses may be attached to discharge outlets during transportation if:

(i) The discharge outlet is at the highest point of the tank;

(ii) The highest points of the attached pump, hoses, and tank remain below the "safe zone" line. The "safe zone" line is defined as a line from five inches below the roof of the vehicle to the top of the vehicle's tailgate;

(iii) The pump hose and nozzle are locked to the pump using a keyed or combination lock during transportation; and

(iv) The operator has emptied the contents of the hose by inverting the polarity of the attached pump from the hose into the tank for a minimum of 15 seconds.

(3) Tanks may not be manifolded together.

(4) Electrical power must be disconnected from the pump during transportation.

(5) Each tank must be marked "DOT-SP 16365" in lieu of "UN 31B."

(6) Each tank must be marked and placarded in accordance with the requirements for IBCs.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

**May 07, 2020**

- b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.
  - c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
  - d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.
  - e. A current copy of this special permit must be maintained at each facility where the packaging is manufactured under this special permit. It must be made available to a DOT representative upon request.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when applicable.

**May 07, 2020**

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

**May 07, 2020**

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm)

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